

U.S. PATENT AND TRADEMARK OFFICE
PATENT OPERATION



In re Application of:

Charles J. Johansen et al.

Serial No.: 10/776,958

Group Art Unit: 1755

Filed: February 11, 2004

Examiner: Marcantoni, Paul D.

For: COLORED CEMENT COMPOSITION

New York, NY 10036
July 22, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

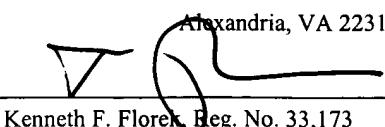
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty to disclose under 37 CFR 1.56, enclosed please find a Form PTO/SB/08A listing references which may be considered material to the patentability of the claims of the above-identified application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on **July 22, 2005** in an envelope addressed to:

Mail Stop Amendment
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Alexandria, VA 22313-1450


Kenneth F. Florek Reg. No. 33,173

<u>Document Designation</u>	<u>Relevance</u>
CI JP 52082923	Relates to a decorative cement.
CJ JP 60251162	Relates to a mortar composition.
CK JP 61040861	Relates to a mortar composition.
CL JP 63206343	Relates to a plaster composition that provides iron rust-colored finish to walls.
CM JP 03218990	Relates to a decorative paint coating for cement articles.
CN JP 04285045	Relates to a plaster that provides granite-like appearance to walls.
CO JP 09316371	Relates to a weather-resistant coating material for concrete substrates.
CP CN 1216311	Relates to a plaster mud for latex painting.
DA C-Cure Product Brochure for Colocure 945 Grout Admixture	Relates to colored grout admixture.
DE Abstract of Japanese Patent Application JP 58055356 Apr. 1983	Relates to a colored cement mortar.
DF Abstract of French Patent 2,661,684 Nov. 1991	Relates to a dry powder mixture of concrete.
DP Website of Clifford W. Estes Company	Relates to colored aggregate.

Full text copies or abstracts of the Non-United States patent prior art references are enclosed herewith. It is respectfully requested that this art be considered by the Examiner in the above-entitled application and made of record therein.

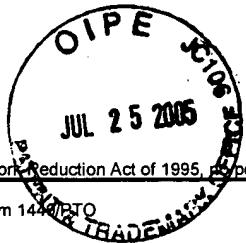
The information contained in this Supplemental Information Disclosure Statement was originally filed before the mailing of a first Office Action. However, the Examiner declined to consider it due to informalities. Therefore, it is believed that no fee is required for submission of this Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(b). However, if a fee is due in connection with this paper, the Commissioner is hereby authorized to charge Deposit Account No. 08-1540. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Kenneth F. Florek
Reg. No. 33,173

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449 PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 3

Complete if Known	
Application Number	10/776,958
Filing Date	February 11, 2004
First Named Inventor	Johansen, Charles J.
Art Unit	1755
Examiner Name	Marcantonio, Paul D.
Attorney Docket Number	250-181

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	CI	JP 52082923	12/30/1975	Naito, Fumitosh		
	CJ	JP 60251162	5/25/1984	Kawase, Kimie		
	CK	JP 61040861	7/31/1985	Nakayama, Fumio		
	CL	JP 63206343	2/19/1987	Miyatake, Masat		
	CM	JP 03218990	1/22/1990	Sakashita, Seij		
	CN	JP 04285045	3/15/1991	Kobayashi, Isao		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/776,958
		Filing Date	February 11, 2004
		First Named Inventor	Johansen, Charles J.
		Art Unit	1755
		Examiner Name	Marcantonio, Paul D.
		Attorney Docket Number	250-181
Sheet	2	of	3

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
	CO	JP 09316371	5/29/1996	Wakisaka, Goro	
	CP	CN 1216311	10/31/1997	Hu, Zhiwei	

Examiner Signature _____ **Date Considered** _____

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				Examiner Name	Marcantoni, Paul D.
Sheet	3	of	3	Attorney Docket Number	250-181

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
	DA	C-Cure Product Brochure for Colorcure 945 Grout Admixture; 1993			
	DE	Abstract of Japanese Patent Application JP 58055356; April 1983			
	DF	Abstract of French Patent 2,661,684; November 1991			
	DP	Website of Clifford W. Estes Company			

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
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CI

L2 ANSWER 115 OF 129 CA COPYRIGHT 2001 ACS

AN 88:40889 CA

TI Decorative **cement**

IN Naito, Fumitoshi

PA Yamamoto Yogyo Kako K. K., Japan

SO Japan. Kokai, 3 pp.

CODEN: JKXXAF

DT Patent

LA Japanese

IC C04B027-00

CC 58-5 (Cement and Concrete Products)

Section cross-reference(s): 37, 53, 57

FAN.CNT 1

	PATENT NO.	KIND	DATE	APPLICATION NO.	DATE
PI	JP 52082923	A2	19770711	JP 1975-159041	19751230

AB A mixt. of 1 part **colored aggregate** of size <3 mm, 1-2 parts white portland **cement**, CaCO₃ powder, and water is sprayed on a mold, then a backing mortar is applied. Thus, a mixt. of white portland **cement** 2, blue ceramic powder (2.88 mm size) 1, CaCO₃ powder 0.2, marble chips (0.35 mm size) 0.2, 3% Me cellulose [9004-67-5] 0.2, ethylene-vinyl acetate copolymer [24937-78-8] emulsion 0.1, and water 0.3 parts was coated on a mold surface; a black portland **cement**-75% water mortar was poured on the decorative surface.

ST decorative **cement** surface

IT Ceramic materials and wares
(coatings, contg. **cement**, decorative)

IT **Cement**
(coatings, contg. ceramics, decorative)

IT Marble

RL: USES (Uses)
(coatings, decorative, contg. **cement** and ceramics)

IT Coating materials